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Major League Baseball; and ALLAN HUBER "BUD" SELIG

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*Attorneys for Plaintiffs the City of San Jose; the City of San Jose,
as successor agency to the Redevelopment Agency of the City of
San Jose; and the San Jose Diridon Development Authority*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA / SAN JOSE DIVISION

CITY OF SAN JOSE; CITY OF SAN JOSE
AS SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE
CITY OF SAN JOSE; and THE SAN JOSE
DIRIDON DEVELOPMENT AUTHORITY,

Plaintiffs,
v.

OFFICE OF THE COMMISSIONER OF
BASEBALL, an unincorporated association
doing business as Major League Baseball; and
ALLAN HUBER "BUD" SELIG,

Defendants.

Case No. CV 13-02787 RMW

**STIPULATION AND [PROPOSED]
ORDER REGARDING THE DEADLINE
FOR FILING AN ANSWER**

Judge: Hon. Ronald M. Whyte

Date Filed: June 18, 2013

1 Plaintiffs City of San Jose, City of San Jose as successor agency to the Redevelopment
 2 Agency of the City of San Jose, and the San Jose Diridon Development Authority ("Plaintiffs")
 3 and Defendants the Office of the Commissioner of Baseball and Allan H. Selig ("Defendants")
 4 (collectively, the "Parties"), through their respective undersigned counsel, hereby stipulate as
 5 follows:

6 WHEREAS, on October 11, 2013, the Honorable Ronald M. Whyte issued an order
 7 granting-in-part and denying-in-part Defendants' Motion to Dismiss;

8 WHEREAS, the Parties and the Court had previously agreed to delay the deadline to file a
 9 Stipulation to ADR Process or Notice of Need for ADR Telephone Conference until 30 days after
 10 the Court ruled on any motion to dismiss (*see* Dkt. 34);

11 WHEREAS, the Parties separately agreed to delay Rule 26(a) disclosures until 30 days
 12 after the Court ruled on any motion to dismiss (*see* Dkt. 37);

13 WHEREAS, under Fed. R. Civ. P. 12(a)(4)(A), the Defendants must currently file an
 14 answer to Plaintiffs' Complaint *before* these other deadlines;

15 WHEREAS, the Parties agree that it would be more efficient and orderly for the Parties to
 16 complete their initial disclosures and ADR filings before Defendants are required to file an
 17 answer;

18 IT IS HEREBY STIPULATED and agreed by and between the Parties that the following
 19 schedule be set:

- 20 1. The deadline for Defendants to file an answer to Plaintiffs' complaint is extended
 21 until November 26, 2013.

22 IT IS SO STIPULATED.

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28 /

1 DATED: October 21, 2013

KEKER & VAN NEST LLP

2
3 By: /s John Keker

4 John Keker
5 Paula L. Blizzard
6 Thomas E. Gorman

7 Attorneys for Defendants
8 OFFICE OF THE COMMISSIONER OF BASEBALL,
9 an unincorporated association doing business as Major
10 League Baseball; and ALLAN HUBER "BUD" SELIG

11 DATED: October 21, 2013

COTCHETT, PITRE & McCARTHY, LLP

12 By: /s Joseph W. Cotchett

13 Joseph W. Cotchett
14 Philip L. Gregory
15 Frank C. Damrell, Jr.
16 Anne Marie Murphy

17 Attorneys for Plaintiffs
18 CITY OF SAN JOSE; CITY OF SAN JOSE AS
19 SUCCESSOR AGENCY TO THE
20 REDEVELOPMENT AGENCY OF THE CITY OF
21 SAN JOSE; and THE SAN JOSE DIRIDON
22 DEVELOPMENT AUTHORITY

23 IT IS SO ORDERED.

24 DATED: _____

25 The Honorable Ronald M. Whyte
26 Judge of the Northern District of California

CERTIFICATION OF CONCURRENCE FROM OTHER PARTIES

I, John Keker, am the ECF user whose ID and password are being used to file this Stipulation Regarding Deadline for Responsive Pleading. In compliance with General Order 45, X.B., I hereby certify that Joseph W. Cotchett has concurred in the filing of this document and has authorized the use of his electronic signature.

/s John Keker

John Keker